



May 8, 2019

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VIA ELECTRONIC MAIL ONLY

Subject: Upper Columbia River Remedial Investigation and Feasibility Study – Phase 3
Sediment Study 2019 Field Season

Dear Kathy:

I write to express concern about our collective ability to meet the Phase 3 Sediment Study field work schedule for this year because of the status of the U.S. Environmental Protection Agency's (EPA's) review of the draft final Data Quality Objectives (DQOs) for the program. Teck American Incorporated (TAI) provided draft final DQOs 2 through 5 for the field program on March 13, 2019, but partial/interim comments from EPA were just received May 1, 2019. However, the schedule anticipated that final DQOs would be agreed by May 3, 2019. At this point, to best protect against missing the field season, TAI will move forward with revising the DQOs within the Quality Assurance Project Plan (QAPP) for submittal in June rather than providing interim responses to comments or further iterations of the DQOs.

By way of additional background, TAI has been working with EPA and its contractors since late 2018 on the complex task of planning the 2019 field work for the Phase 3 Sediment Study. This work is guided by the correspondence culminating on February 16, 2018 resolving the informal dispute between TAI and EPA, which modified EPA's January 8, 2018 level of effort (LOE) directive. Our resolution recognized the following principles:



Guiding principles:

- 1) *Identify a scope of work that can feasibly be implemented in 2018*
 - a. *Focused scope that improves probability of finalizing planning documents in Spring 2018*
 - b. *Logistically feasible*
- 2) *Generates data that would be informative for the remedial investigation (RI) and baseline ecological risk assessment (BERA).*
 - a. *This includes sediment bed mapping and focused sediment sampling in select areas of interest, as well as collection of ecological data, that will inform the benthic invertebrate assessment endpoint of the BERA.*
 - b. *Is cognizant of the work that has already been done.*
- 3) *Iterative*
 - a. *Identify and scope new work once the appropriate data are available. Note that the LOE overreaches in scope, as it prescribes extensive surface sediment sampling based on mapping data that are not yet available from a sediment facies study, and cores that are only needed if a feasibility study (FS) is required.*
- 4) *EPA must timely review and approve planning documents and data summary reports, as well as efficiently facilitate comments by the Participating Parties.¹*

TAI believes these dispute resolution principles served the project well in 2018 as we developed DQOs and the QAPP for the Facies Mapping study, which was a necessary predicate to the upcoming sediment sampling work. The DQOs and QAPP for that study were generally timely approved, sediment facies maps were developed for the three areas of interest anticipated to be sampled this summer.

In this vein, we have continued a high level of engagement over the last several months with the mutual goal of completing the remaining elements of the Phase 3 Sediment Study in 2019.

¹ Note that the Participating Parties typically require thirty (30) days to review QAPPs, and EPA has needed at least six (6) months to review and approve Data Summary Reports (DSRs). Here, EPA's review and approval of the DSR for the bed mapping will be required before the sediments program can be implemented.



Efforts have included but are not been limited to: 1) TAI communicating conceptual schedule early and often and refining it with critical milestones to ensure we get in the field early enough in the season to complete the work; 2) delivering a critical interim document with results of the Facies Mapping program from 2018 to inform sampling design; 3) delivering revised DQOs; 4) hosting a 2-day workshop; 4) hosting multiple calls to discuss issues and understand EPA's objectives; 5) responding to EPA's request for further information; 6) reviewing technical information from EPA related to their statement of objective and data analysis to inform study design for DQO 2; and 7) responding in a timely manner to all inquiries and comments.

Despite these efforts, TAI is concerned that the DQOs are not yet finalized, in turn delaying the development of the QAPP. We just received, on May 1, 2019, EPA's partial/interim comments on the Draft Final Data Quality Objectives 2 through 5 that TAI submitted on March 13, 2019, but our schedule anticipated final DQOs by May 3, 2019. Further, rather than advancing the work, EPA's partial/interim comments are duplicative, disorganized, may necessitate changes to sampling design, and introduce the possibility of material additions to the expected scope of the program, such as the possibility of another DQO for water-only bioassays that had not been discussed prior to TAI's delivery of the draft final DQOs in March.

At this late juncture, these issues create real concerns for the feasibility of executing an already challenging and novel program this year, not to mention inefficiency and cost overruns in the process to date. For example, with each iteration of the design, TAI has to evaluate logistics and the number of samples that can be collected during the field window. Without even accounting for potential collection of split samples, the number of samples and volume of material currently being contemplated is likely the maximum that could possibly be collected during the expected fieldwork window – leaving few contingency for delays due to weather, equipment, cultural resource review, possible sampling design adjustment, and the fact that the program calls for the collection of samples in areas where conditions prohibited sampling during previous programs.

Tomorrow's teleconference presents an opportunity to make progress on some of these items, and TAI remains willing to continue to work with EPA in furtherance of the field program. However, in the interest of trying to preserve this field season, TAI plans to move forward with the draft QAPP with revised DQOs for submittal to EPA in June, at which time TAI will address EPA's comments on the draft final DQOs.

Should you have questions or require any additional information at this time, please do not hesitate to contact me directly at (509) 623-4501.



Sincerely,

Teck American Incorporated

A handwritten signature in blue ink that reads "Kris R. McCaig".

Kris McCaig
Manager, Environment & Public Affairs

cc: Monica Tonel, U.S. EPA Seattle, WA
Dave Einan, U.S. EPA Richland, WA
Denise Mills, Teck American Incorporated, Spokane, WA
Christian Baxter, Teck Resources Limited, Vancouver, BC